



Atty. Dkt. No. 040283-0196

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Jonathan Richard Anthony ROFFEY et al.  
Title: Condensed Indoline Derivatives and their use as 5HT, in particular 5HT2C, Receptor Ligands  
Appl. No.: 10/009,567  
Appl. Filing Date: 04/05/2002  
Examiner: Rebecca L. Anderson  
Art Unit: 1626

**REQUEST FOR CONTINUED EXAMINATION (RCE)**  
**TRANSMITTAL**

Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application. This RCE and the enclosed items listed below are being filed prior to the earliest of: (1) payment of the issue fee (unless a petition under 37 C.F.R. § 1.313 is granted); (2) abandonment of the application; or (3) the filing of a notice of appeal to the U.S. Court of Appeals for the Federal Circuit under 35 U.S.C. §141, or the commencement of a civil action under 35 U.S.C. §145 or §146 (unless the appeal or civil action is terminated).

1. Submission required under 37 C.F.R. §1.114: (check items that apply)

a. Previously submitted:

☐ Please enter and consider the amendment/reply previously filed on \_\_.

☐ Please consider the Affidavit(s)/Declaration(s) previously filed on \_\_ but not considered.

08/18/2004 ANABI1 00000036 10009567  
02 FC:1252 420.00 OP

08/18/2004 ANABI1 00000036 10009567 770.00 OP  
01 FC:1801

☐ Please consider the arguments in the Appeal Brief or Reply Brief under 37 C.F.R. § 1.116 previously filed on \_\_\_\_.

☐ Other \_\_\_\_.

b. Enclosed are:

☒ Preliminary Amendment.

☐ Affidavit(s)/Declaration(s).

☐ Information Disclosure Statement.

☐ Form PTO-1449 with copies of \_\_\_\_ listed reference(s).

☒ Other Request for Reconsideration of Decision on Petition Against Restriction Requirement.

Miscellaneous:

☐ Suspension of action of the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_ months.

The filing fee is calculated below:

	Claims as Amended	Previously Paid For	Extra Claims Present	Rate	Fee Totals
RCE Fee 1.17(e):				\$770.00	= \$770.00
Total Claims:	24	- 31	=0	x \$18.00	= \$0.00
Independents	1	- 7	=0	x \$86.00	= \$0.00
First presentation of any Multiple Dependent Claims:				+ \$290.00	= \$0.00
CLAIMS FEE TOTAL:					= \$770.00

☒ Applicants hereby petition for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

<input type="checkbox"/>	Extension for response filed within the first month:	\$110.00	0	\$0.00
<input checked="" type="checkbox"/>	Extension for response filed within the second month:	\$420.00		\$420.00
<input type="checkbox"/>	Extension for response filed within the third month:	\$950.00		\$0.00
<input type="checkbox"/>	Extension for response filed within the fourth month:	\$1,480.00		\$0.00
<input type="checkbox"/>	Extension for response filed within the fifth month:	\$2,010.00		\$0.00
	EXTENSION FEE SUBTOTAL:			\$420.00
	EXTENSION FEE ALREADY PAID: -			\$0.00
	EXTENSION FEE TOTAL			\$420.00
	CLAIMS AND EXTENSION FEE TOTAL:			\$1190.00
<input type="checkbox"/>	Small Entity Fees Apply (subtract ½ of above):			\$0.00
<input type="checkbox"/>	Suspension of action requested under 37 C.F.R. § 1.103(c)			\$0.00
	TOTAL FEE:			\$1190.00

☐ Please charge Deposit Account No. 19-0741 in the amount of \$1190.00. A duplicate copy of this transmittal is enclosed.

☒ A check in the amount of \$1190.00 to cover the filing fee is enclosed.

☒ The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,



Date August 17, 2004

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Applicant: Jonathan Richard Anthony ROFFEY et al.  
Title: CONDENSED INDOLINE DERIVATIVES AND THEIR USE AS  
5HT<sub>2C</sub>, IN PARTICULAR 5HT<sub>2C</sub>, RECEPTOR LIGANDS  
Appl. No.: 10/009,567 Filing Date: 04/05/2002  
Examiner: Rebecca L. Anderson Art Unit: 1626

**PRELIMINARY AMENDMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

In response to the Office Action mailed March 19, 2004, please amend the application as follows. This document is being filed concurrently with a Request for Continued Examination.

**Amendments to the Claims** are reflected in the listing of claims which begins on page 2 of this document.

**Remarks** begin on page 6 of this document,